

To: "Brodsky, Jason (Intern)" (b) (6)
Cc: gorke.roger@epa.gov;CN=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]; N=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]
Bcc: []
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Wed 3/14/2012 7:43:29 PM
Subject: Re: California Bay-Delta FY 2012 Initiatives
FY 2012 CALIFORNIA BAY initiatives template.doc

(b) (6)

Jason -

Here's some EPA input to the matrix. - Karen

~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
U.S. EPA Region 9  
75 Hawthorne Street (Wtr-1)  
San Francisco, CA 94105  
415/972-3472  
415/297-5509 (mobile)  
415/947-3537 (fax)  
~~~~~

From: "Brodsky, Jason (Intern)" (b) (6)
To: "'Rock Salt (Rock.Salt@us.army.mil)'" <Rock.Salt@us.army.mil>, Nancy Stoner/DC/USEPA/US@EPA, 'Cindy Tejada' <cindy.l.tejada@usace.army.mil>, 'Dan Castleberry' <dan_castleberry@fws.gov>, 'Don Glaser' <dglaser@usbr.gov>, 'Ed Burton' <ed.burton@ca.usda.gov>, Tom Hagler/R9/USEPA/US@EPA, "'Leady, William J Col SPK'" <William.J.Leady@usace.army.mil>, 'Luana Kiger' <luana.kiger@ca.usda.gov>, 'Maria Rea' <maria.rea@noaa.gov>, 'Pablo Arroyave' <parroyave@usbr.gov>, 'Ren Lohofener' <Ren_Lohofener@fws.gov>, "'Robershotte, Paul J SPD'" <Paul.J.Robershotte@usace.army.mil>, 'Rod McInnis' <Rod.Mcinnis@noaa.gov>, 'Susan Fry' <sfry@usbr.gov>, "'Toland, Tanis J SPK'" <Tanis.J.Toland@usace.army.mil>, Tim Vendlinski/R9/USEPA/US@EPA, "'Will Stelle (will.stelle@noaa.gov)'" <will.stelle@noaa.gov>, 'Ada Benavides' <ada.benavides@usace.army.mil>, 'Hettinger, Alex' <Alexander_G_Hettinger@omb.eop.gov>, 'Andy Hagelin' <andrew.hagelin@conus.army.mil>, 'Arnab Raychaudhuri' <arnab.raychaudhuri@us.army.mil>, 'Barbara Diehl' <barbara_diehl@ios.doi.gov>, 'Chieco, Gena' <(b) (6)>, 'Chip Smith' <chip.smith1@us.army.mil>, 'Comisky, Nicole E.' <(b) (6)>, 'David Murillo' <dmurillo@usbr.gov>, 'David Nawi' <david_nawi@ios.doi.gov>, 'Eileen Soback' <eileen_soback@ios.doi.gov>, 'Joan Langhans' <Joan.R.Langhans@noaa.gov>, Karen Schwinn/R9/USEPA/US@EPA, 'Kira Finkler' <kfinkler@usbr.gov>, 'Kris Sarri' <ksarri@doc.gov>, 'Letty Belin' <letty_belin@ios.doi.gov>, 'Mertens, Richard A.' <(b) (6)>, 'Mike Connor' <mconnor@usbr.gov>, 'Paul Houser' <phouser@usbr.gov>, Roger Gorke/DC/USEPA/US@EPA, 'Ryan Wulff' <ryan.wulff@noaa.gov>, 'Siegel,

Matthew J." (b) (6) Steve Stockton' <Steven.L.Stockton@usace.army.mil>, 'Tanya Dobrzynski' <tanya.dobrzynski@noaa.gov>, 'Tanya Trujillo' <Tanya_Trujillo@ios.doi.gov>, "'mmaucieri@usbr.gov'" <mmaucieri@usbr.gov>, Karen Schwinn/R9/USEPA/US@EPA, "'Smith, Charles R CIV (US)'" <charles.r.smith567.civ@mail.mil>, "'Schwichtenberg, Bradd R HQ02'" <Bradd.R.Schwichtenberg@usace.army.mil>, "Raychaudhuri, Arnab CIV (US) (arnab.raychaudhuri.civ@mail.mil)" <arnab.raychaudhuri.civ@mail.mil>, "Zeitzmann, Nellie" <NZeitzmann@usbr.gov>
Cc: (b) (6) "Hunter-Pirtle, Ann" (b) (6)
"Ohlhaber, Jayme (Intern)" (b) (6)
Date: 03/06/2012 01:59 PM
Subject: California Bay-Delta FY 2012 Initiatives

All,

At our last California Bay-Delta interagency check-in meeting on Tuesday, February 21, we discussed whether the federal agencies should publish a federal update on the ongoing restoration efforts for the Bay-Delta. The last federal update was released to the public in December 2010. We agreed at the February 21 meeting that if the federal family is to release such a document, it would make the most sense to aim for a summer release after there is more clarity as to the BDCP.

You will recall that in the past, CEQ has asked the federal agencies who have equities in the Bay-Delta to update an internal tracking matrix, so that this interagency group can get broad overview of the ongoing work by the federal family as it relates to the 2009 Interim Federal Action Plan. It has been some time since our existing tracking tables have been updated and CEQ would like to ask that the Corps, NOAA, Reclamation, Fish & Wildlife Service, USGS, USDA, and EPA update the document for FY 2012. You will see that the first attached document tracked progress for FY 2011. Each agency should complete the attached FY 2012 template with completed projects since FY 2009, projects slated for completion in FY 2012, and projects which will be worked on throughout FY 2012 (all under the auspices of the 2009 Interim Federal Action Plan).

Please submit all entries to CEQ by COB, Tuesday, March 20. Feel free to e-mail or call with any questions.

Thank you.

-Jason Brodsky

--

Jason M. Brodsky
Acting Deputy Associate Director and Policy Fellow
Executive Office of the President
The White House Council on Environmental Quality
730 Jackson Place, N.W., Third Floor
Washington, D.C. 20503

(b) (6)

[attachment "FY 2011 CALIFORNIA BAY_initiatives_condensed format update.doc" deleted by Karen Schwinn/R9/USEPA/US] [attachment "FY 2012 CALIFORNIA BAY_initiatives_template.doc" deleted by Karen Schwinn/R9/USEPA/US]

(b) (5)



(b) (5)



(b) (5)



(b) (5)



To: gorke.roger@epa.gov[]
Cc: CN=Tom Hagler/OU=R9/O=USEPA/C=US@EPA[]
Bcc: []
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Wed 6/6/2012 7:21:16 PM
Subject: Re: Fw: Bay-Delta interagency briefing
[Hotspot](#)
[Hotspot](#)
[Hotspot](#)
[Hotspot](#)

Looks like no West Coasters except nawi. So Nancy needs to know that Action plan is imminent. Perhaps the email we send to Bobs will be useful for that purpose.

~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
U.S. EPA Region 9  
75 Hawthorne Street (Wtr-1)  
San Francisco, CA 94105  
415/972-3472  
415/297-5509 (mobile)  
415/947-3537 (fax)  
~~~~~

From: Roger Gorke/DC/USEPA/US
To: Karen Schwinn/R9/USEPA/US@EPA
Date: 06/06/2012 12:16 PM
Subject: Fw: Bay-Delta interagency briefing

Look what just popped up in my in box.

Roger Gorke
Senior Policy Advisor
Office of Water
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

----- Forwarded by Roger Gorke/DC/USEPA/US on 06/06/2012 03:16 PM -----

From: Macara Lousberg/DC/USEPA/US
To: Roger Gorke/DC/USEPA/US@EPA
Cc: Christine Ruf/DC/USEPA/US@EPA

Date: 06/06/2012 03:07 PM
Subject: Bay-Delta interagency briefing

Roger - are you going with Nancy? If not, anything she needs to know from us ahead of time?

Bay-Delta interagency briefing

Fri 06/08/2012 3:00 PM - 4:00 PM

Nancy Stoner

Chair: (b) (6)
Sent By: (b) (6)

Location: 722 Jackson Place, enter through 718 Jackson Place due to construction

rock.salt@us.army.mil, stoner.nancy@epa.gov, will.stelle@noaa.gov, eric.schwaab@noaa.gov, sally.yozell@noaa.gov, David_Nawi@ios.doi.gov, Letty_Belin@ios.doi.gov, David_hayes@ios.doi.gov, MLConnor@usbr.gov, Eileen_Sobeck@ios.doi.gov, (b) (6) cyrice@usbr.gov, tasha.v.wrightgarrick.civ@mail.mil, (b) (6) arnab.raychaudhuri.civ@mail.mil, Martha Workman/DC/USEPA/US, chanelle_williams@ios.doi.gov

Hello all,

It's time again to call the interagency together to download the latest events around Bay Delta Restoration. Please join us for an update on the latest on the Bay Delta Conservation Plan and related developments—it appears that 3:00 Friday, June 8th will work best for most folks. All signals point to a busy summer and it will be good to make sure we are all on the same page—an agenda will be circulated ahead of the meeting. Please RSVP to this invite and contact Ann Hunter-Pirtle (b) (6) with questions. Thank you.

Manifest:
Rock Salt, Army Corps
Nancy Stoner, EPA
Sally Yozell, NOAA
Eric Schwaab, NOAA
Will Stelle, NOAA
David Hayes, DOI
Mike Connor, USBR
Eileen Sobeck, DOI

Letty Belin, DOI
David Nawi, DOI
Sally Ericsson, OMB
Jay Jensen, CEQ

Jay Jensen
Associate Director - Land & Water Ecosystems
Council on Environmental Quality
Executive Office of the President
730 Jackson Place
Washington, D.C.

(b) (6)

To: "Vandermark, Robert" (b) (6)
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Mon 7/9/2012 2:03:34 PM
Subject: Re: EPA's Action Plan for the Bay Delta

(b) (6)

[mailto:Gorke.Roger@epamail.epa.gov]
rock.salt@us.army.mil
rock.salt@us.army.mil
stoner.nancy@epa.gov
stoner.nancy@epa.gov
will.stelle@noaa.gov
will.stelle@noaa.gov
eric.schwaab@noaa.gov
eric.schwaab@noaa.gov
sally.yozell@noaa.gov
sally.yozell@noaa.gov
David_Nawi@ios.doi.gov
David_Nawi@ios.doi.gov
Letty_Belin@ios.doi.gov
Letty_Belin@ios.doi.gov
David_hayes@ios.doi.gov
David_hayes@ios.doi.gov
MLConnor@usbr.gov
MLConnor@usbr.gov
Eileen_Sobeck@ios.doi.gov
Eileen_Sobeck@ios.doi.gov
terrence.c.salt.civ@mail.mil
terrence.c.salt.civ@mail.mil
Schwinn.Karen@epamail.epa.gov
<http://www.epa.gov/sfbay-delta/actionplan.html>

Will do, Rob. Looks like it won't be released today or tomorrow. I will keep you posted. - Karen

~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
U.S. EPA Region 9  
75 Hawthorne Street (Wtr-1)  
San Francisco, CA 94105  
415/972-3472  
415/297-5509 (mobile)  
415/947-3537 (fax)  
~~~~~

From: "Vandermark, Robert" (b) (6)
Sent: 07/09/2012 01:40 PM GMT
To: Roger Gorke
Cc: Karen Schwinn
Subject: RE: EPA's Action Plan for the Bay Delta

Thanks Karen, any information & details you can share with us ASAP would be appreciated.

Rob

Robert C. Vandermark

Deputy Associate Director for Ecosystems

Council on Environmental Quality

Executive Office of the President

(b) (6)

From: Roger Gorke [mailto:Gorke.Roger@epamail.epa.gov]

Sent: Monday, July 09, 2012 7:27 AM

To: Vandermark, Robert

Cc: Karen Schwinn

Subject: Re: EPA's Action Plan for the Bay Delta

Karen,

Do you have materials that you can forward to Robert?

Thanks

Roger

Roger Gorke

Senior Policy Advisor

Office of Water

United States Environmental Protection Agency

1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

-----"Vandermark, Robert" <(b) (6)> wrote: -----

To: Roger Gorke/DC/USEPA/US@EPA
From: "Vandermark, Robert" <(b) (6)>
Date: 07/06/2012 04:20PM
Subject: Re: EPA's Action Plan for the Bay Delta

Roger,

Thank you for passing this on. Are there any press materials you can pass on? Fact sheet, press release, Q and A doc, etc?

Rob

From: Roger Gorke [mailto:Gorke.Roger@epamail.epa.gov]
Sent: Friday, July 06, 2012 02:55 PM
To: rock.salt@us.army.mil <rock.salt@us.army.mil>; stoner.nancy@epa.gov <stoner.nancy@epa.gov>; will.stelle@noaa.gov <will.stelle@noaa.gov>; eric.schwaab@noaa.gov <eric.schwaab@noaa.gov>; sally.yozell@noaa.gov <sally.yozell@noaa.gov>; David_Nawi@ios.doi.gov <David_Nawi@ios.doi.gov>; Letty_Belin@ios.doi.gov <Letty_Belin@ios.doi.gov>; David_hayes@ios.doi.gov <David_hayes@ios.doi.gov>; MLConnor@usbr.gov <MLConnor@usbr.gov>; Eileen_Sobeck@ios.doi.gov <Eileen_Sobeck@ios.doi.gov>; Ericsson, Sally C.; Colyar, Kelly T.; terrence.c.salt.civ@mail.mil <terrence.c.salt.civ@mail.mil>; Vandermark, Robert; Jensen, Jay
Cc: Karen Schwinn <Schwinn.Karen@epamail.epa.gov>
Subject: EPA's Action Plan for the Bay Delta

Dear colleagues -

As I briefly mentioned at our last Bay Delta meeting, EPA is releasing an action plan to address water quality challenges in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. We wanted to give you a heads up prior to releasing the Action Plan publicly.

The Action Plan is based, in part, on public comments received in response to EPA's February 2011 Advance Notice of Proposed Rulemaking. This action completes EPA's commitment in the December 2009 Interim Federal Action Plan to assess whether current regulatory mechanisms designed to protect water quality in the Estuary and its tributaries are effective in protecting aquatic resources.

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EPA's Action Plan, along with the February 2011 ANPR and a synthesis of the public comments received, can be

found on EPA's website:

<http://www.epa.gov/sfbay-delta/actionplan.html>

Please note that we expect to post the Action Plan on Monday, July 9, 2012.

If you have any questions, please contact Karen Schwinn in our San Francisco Office at 415-972-3472

Thanks,

Roger

Roger Gorke
Senior Policy Advisor
Office of Water
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

To: "Roger Gorke" [gorke.roger@epa.gov]
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Mon 7/9/2012 2:10:35 PM
Subject: Fw: EPA's Action Plan for the Bay Delta

(b) (6)

[mailto:Gorke.Roger@epamail.epa.gov]
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eric.schwaab@noaa.gov
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sally.yozell@noaa.gov
sally.yozell@noaa.gov
David_Nawi@ios.doi.gov
David_Nawi@ios.doi.gov
Letty_Belin@ios.doi.gov
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David_hayes@ios.doi.gov
David_hayes@ios.doi.gov
MLConnor@usbr.gov
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Eileen_Sobeck@ios.doi.gov
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See my msg back. Jared is still reviewing. As soon as they tell me when, I'll let you know.

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KAREN SCHWINN  
Associate Director  
Water Division  
U.S. EPA Region 9  
75 Hawthorne Street (Wtr-1)  
San Francisco, CA 94105  
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From: "Vandermark, Robert" (b) (6)
Sent: 07/09/2012 01:40 PM GMT
To: Roger Gorke
Cc: Karen Schwinn
Subject: RE: EPA's Action Plan for the Bay Delta

Thanks Karen, any information & details you can share with us ASAP would be appreciated.

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Date: 07/06/2012 04:20PM
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If you have any questions, please contact Karen Schwinn in our San Francisco Office at 415-972-3472

Thanks,

Roger

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To: CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Karen Schwinn/OU=R9/O=USEPA/C=US
Sent: Mon 7/9/2012 6:49:46 PM
Subject: Re: Fw: EPA's Action Plan for the Bay Delta

(b) (6)

[mailto:Gorke.Roger@epamail.epa.gov]
rock.salt@us.army.mil
rock.salt@us.army.mil
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will.stelle@noaa.gov
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sally.yozell@noaa.gov
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David_Nawi@ios.doi.gov
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Letty_Belin@ios.doi.gov
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David_hayes@ios.doi.gov
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Schwinn.Karen@epamail.epa.gov
<http://www.epa.gov/sfbay-delta/actionplan.html>

Ok. Talk to you later.

~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
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75 Hawthorne Street (Wtr-1)  
San Francisco, CA 94105  
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415/947-3537 (fax)  
~~~~~

----- Original Message -----

From: Roger Gorke
Sent: 07/09/2012 02:20 PM EDT
To: Karen Schwinn
Subject: Re: Fw: EPA's Action Plan for the Bay Delta
Don't worry about me, just make sure Rob has what he needs.

Roger Gorke

Senior Policy Advisor
Office of Water
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

From: Karen Schwinn/R9/USEPA/US
To: "Roger Gorke" <gorke.roger@epa.gov>
Date: 07/09/2012 10:10 AM
Subject: Fw: EPA's Action Plan for the Bay Delta

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~~~~~  
KAREN SCHWINN  
Associate Director  
Water Division  
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EPA's Action Plan, along with the February 2011 ANPR and a synthesis of the public comments received, can be found on EPA's website:

<http://www.epa.gov/sfbay-delta/actionplan.html>

Please note that we expect to post the Action Plan on Monday, July 9, 2012.

If you have any questions, please contact Karen Schwinn in our San Francisco Office at 415-972-3472

Thanks,

Roger

Roger Gorke
Senior Policy Advisor
Office of Water
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

To: CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA[]
Cc: CN=Alexis Strauss/OU=R9/O=USEPA/C=US@EPA;CN=Gregory Peck/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;Letty_Belin@ios.doi.gov;CN=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Gregory Peck/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;Letty_Belin@ios.doi.gov;CN=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;Letty_Belin@ios.doi.gov;CN=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;Letty_Belin@ios.doi.gov;CN=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;Letty_Belin@ios.doi.gov;CN=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Lori Keyton/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne

Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim
Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[];
N=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Macara
Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter
Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne
Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim
Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[];
N=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Peter
Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne
Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim
Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[];
N=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Suzanne
Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim
Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[];
N=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Tim
Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[];
N=Tim Jones/OU=DC/O=USEPA/C=US@EPA;CN=Virginia
Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Robert Wood/OU=DC/O=USEPA/C=US
Sent: Fri 9/18/2009 8:26:02 PM
Subject: Re: Fw: Bay-Delta MOU and Sept. 30th public meeting

Good additions, Roger. Thanks

Acting Deputy Director
Office of Wetlands Oceans and Watersheds
Room 7130A EPA West
202-566-1822

From: Roger Gorke/DC/USEPA/US
To: Robert Wood/DC/USEPA/US@EPA, Letty_Belin@ios.doi.gov
Cc: Alexis Strauss/R9/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA, Karen
Schwinn/R9/USEPA/US@EPA, Laura Yoshii/R9/USEPA/US@EPA, Lee Schroer/DC/USEPA/US@EPA, Lori
Keyton/DC/USEPA/US@EPA, Lynn Zipf/DC/USEPA/US@EPA, Macara Lousberg/DC/USEPA/US@EPA, Peter
Silva/DC/USEPA/US@EPA, Suzanne Schwartz/DC/USEPA/US@EPA, Tim Jones/DC/USEPA/US@EPA,
Virginia Kibler/DC/USEPA/US@EPA
Date: 09/18/2009 04:13 PM
Subject: Re: Fw: Bay-Delta MOU and Sept. 30th public meeting

Letty,

Here are a couple of minor, yet important comments (in bold) on the MOU.

II. PURPOSE

(a) The purpose of this Memorandum of Understanding (MOU) is to confirm the federal commitment to work in partnership with the State of California and interested stakeholders to protect a high quality, reliable and sustainable long-term water supply for California while also restoring the

environmental integrity and sustainability of the Bay-Delta ecosystem.

IV. FEDERAL BAY-DELTA LEADERSHIP COMMITTEE

(d) The Federal Bay-Delta Leadership Committee will meet on a periodic basis to develop and coordinate federal participation in Bay-Delta matters. Activities coordinated through the Committee shall include drought relief efforts, review of projects and operations intended to address short and medium term issues, and the development of the Bay Delta Conservation Plan and other longer-term mechanisms to improve the ecological health of the Bay-Delta and address water supply and quality needs.

Thanks

Roger

Roger Gorke
Senior Policy Advisor
Office of Water
United States Environmental Protection Agency
1200 Pennsylvania Ave NW, MC 4101 M
Washington, DC 20460
Phone: 202-564-0470
Fax: 202-564-0500

From: Robert Wood/DC/USEPA/US
To: Peter Silva/DC/USEPA/US@EPA, Laura Yoshii/R9/USEPA/US@EPA, Alexis Strauss/R9/USEPA/US@EPA, Karen Schwinn/R9/USEPA/US@EPA
Cc: Suzanne Schwartz/DC/USEPA/US@EPA, Lee Schroer/DC/USEPA/US@EPA, Gregory Peck/DC/USEPA/US@EPA, Roger Gorke/DC/USEPA/US@EPA, Macara Lousberg/DC/USEPA/US@EPA, Virginia Kibler/DC/USEPA/US@EPA, Tim Jones/DC/USEPA/US@EPA, Lynn Zipf/DC/USEPA/US@EPA, Lori Keyton/DC/USEPA/US@EPA
Date: 09/18/2009 10:27 AM
Subject: Fw: Bay-Delta MOU and Sept. 30th public meeting

All:

Wanted to be sure you saw this morning's message from Letty Belin at Interior. With respect to additional comments on the first draft of the MOU, we already provided the comments prepared by Region 9 and I expect they will be reflected in the next draft. If you have any additional comments, please send them to me. In the interest of time, you can also send them directly to Letty Belin.

With respect to the public meeting on September 30, Pete (and Lori), it looks like Pete would need to be there at 8:45 for about an hour. Formal invitation should be coming next week.
Thanks,

Rob

Acting Deputy Director
Office of Wetlands Oceans and Watersheds

Room 7130A EPA West
202-566-1822

----- Forwarded by Robert Wood/DC/USEPA/US on 09/18/2009 10:16 AM -----

From: Letty_Belin@ios.doi.gov
To: "Klasen, Matthew N." (b) (6) "David Nawi" <david@dnmediation.com>
Cc: "Hagelin, Andrew Mr CIV USA ASA CW" <andrew.hagelin@conus.army.mil>, "Hight, Courtney" <(b) (6) joellen.darcy@us.army.mil, JReich@doc.gov, "Kelly Denit" <Kelly.Denit@noaa.gov>, "Boots, Michael J." <(b) (6) mlconnor@usbr.gov, Monica.medina@noaa.gov, Robert.Bonnie@osec.usda.gov, "Nuzum, Robert S." (b) (6), rock.salt@us.army.mil, Peter Silva/DC/USEPA/US@EPA, tanya.dobrzynski@noaa.gov, theodore.a.brown@usace.army.mil, Robert Wood/DC/USEPA/US@EPA, Laura Yoshii/R9/USEPA/US@EPA
Date: 09/18/2009 10:10 AM
Subject: Re: Bay-Delta MOU and Sept. 30th public meeting

Two things:

1. Please get me your revisions to the MOU asap. I have follow-up comments from NOAA but no one else at this point. That is fine if you have nothing further beyond the items that you brought up at our meeting this week.
2. Secretary Salazar will be inviting each of your principals to come to the September 30th meeting here at the Interior South auditorium on California water/Bay-Delta issues where hopefully we will be announcing the MOU and the general outlines of our joint plan for action on the Bay-Delta. Presentations will start at 8:00; Secretary Salazar will be there at 9:00 and announce the MOU at that time. It would be great if your respective heads could join him for at least that part of the meeting -- I would appreciate it if you passed the invitation along now since it won't be till Monday or Tuesday that we get the written invitations out. We are expecting much of the time from 9:00-10:00 at the 9/30 meeting to be taken with comments/dialogue with members of the California congressional delegation who will be present. There will be public comments/questions from approximately 10-12. If you have questions, please call or email me. Thanks a lot.

Letty

Letty Belin
Counselor to the Deputy Secretary
letty_belin@ios.doi.gov
202-208-6291

From: "Klasen, Matthew N." <(b) (6)>
To: <Monica.medina@noaa.gov>, "Kelly Denit" <Kelly.Denit@noaa.gov>, <tanya.dobrzynski@noaa.gov>, <yoshii.laura@epa.gov>, <Robert.Bonnie@osec.usda.gov>, "Hagelin, Andrew Mr CIV USA ASA CW" <andrew.hagelin@conus.army.mil>, <mlconnor@usbr.gov>, <Letty_belin@ios.doi.gov>, <rock.salt@us.army.mil>, <joellen.darcy@us.army.mil>, <theodore.a.brown@usace.army.mil>, <JReich@doc.gov>, <wood.robert@epa.gov>, <silva.peter@epa.gov>
Cc: "Boots, Michael J." <(b) (6) "Nuzum, Robert S." (b) (6) "Hight, Courtney" (b) (6) "Ericsson, Sally C." (b) (6)
Date: 09/16/2009 07:07 PM

Subject: Next Bay-Delta meeting: Next Wed 9/23, 11:30-12:30 EDT

Hi everyone,

After coordinating with DOI, we'd like to schedule our next Bay-Delta meeting for next Wednesday 9/23 from 11:30-12:30 EDT. We'll be in the White House Conference Center's Eisenhower Room, which is on the second floor and is between CEQ's offices at 722 and 730 Jackson Place. I'll follow up early next week to confirm exact in-person attendees for this discussion (and gather phone numbers just in case).

For those calling in, the bridge number is (b) (6)

As a reminder, please send Letty your comments on the MOU draft by COB tomorrow (Thursday). We look forward to discussing an updated draft on Wednesday.

Thanks,
Matt

Matt Klasen
White House Council on Environmental Quality
734 Jackson Place NW
Washington DC 20503

(b) (6)

From: Klasen, Matthew N.
Sent: Tuesday, September 15, 2009 5:06 PM
To: 'Monica.medina@noaa.gov'; 'Kelly Denit'; 'tanya.dobrzynski@noaa.gov'; 'yoshii.laura@epa.gov'; 'Robert.Bonnie@osec.usda.gov'; 'Hagelin, Andrew Mr CIV USA ASA CW'; 'mlconnor@usbr.gov'; 'Letty_belin@ios.doi.gov'; 'rock.salt@us.army.mil'; 'joellen.darcy@us.army.mil'; 'theodore.a.brown@usace.army.mil'; 'JReich@doc.gov'; 'wood.robert@epa.gov'; 'silva.peter@epa.gov'
Cc: Boots, Michael J.; Nuzum, Robert S.; Hight, Courtney
Subject: Bay-Delta follow-up: Comments to Letty by COB Thur, CA bill summaries

Hi everyone,

Thanks for joining today's meeting on Bay-Delta, and sorry for the early technical difficulties.

As a reminder, please send any additional comments to Letty by COB Thursday in preparation for developing an updated draft by next week. We'll work with DOI to find a convenient time next week to get feedback on an updated draft MOU and will get back to you shortly with a time.

Also, see attached for summaries of some of the key water bills introduced in the CA legislature, the content of which may reemerge if the legislature returns for a special session.

Please let me know if you have any questions – and looking forward to continuing the discussion next week.

Best,
Matt

Matt Klasen
White House Council on Environmental Quality
734 Jackson Place NW
Washington DC 20503

(b) (6)

To: "Boling, Edward A." (b) (6) aura
Yoshii/R9/USEPA/US@EPA;[tanya.dobrzynski@noaa.gov]; tanya.dobrzynski@noaa.gov>[]
From: "Boots, Michael J."
Sent: Wed 9/23/2009 4:02:17 PM
Subject: Fw: 11:30 meeting today
MOUsept22dnredline.doc

From: Letty_Belin@ios.doi.gov
To: Boots, Michael J.
Sent: Wed Sep 23 09:58:16 2009
Subject: 11:30 meeting today

Hi Mike:

For our 11:30 meeting today, obviously MOU review is the main item but here is a draft agenda for you to add to:

- * brief update (appropriations rider, USDA drought declaration, California legislative update, anything else?)
- * reminder about coordinating our public communications/actions relating to Bay Delta (e.g., we had no idea that USDA was going to do a drought declaration)
- * update on Sept. 30th meeting
- * review and edit MOU

David Nawi just sent me a few more redlines, including some language on consolidation -- attached. Any problem if I send this around? Thanks.
LEtty

Letty Belin
Counselor to the Deputy Secretary
letty_belin@ios.doi.gov
202-208-6291

To: CN=Gregory Peck/OU=DC/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]; N=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]; N=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]
Cc: CN=Tanya Code/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]; N=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA[]
From: CN=Robert Wood/OU=DC/O=USEPA/C=US
Sent: Thur 9/24/2009 5:09:15 PM
Subject: Fw: Updated Bay-Delta MOU, schedule, and update
[Draft Bay-Delta MOU -- 092409 - Track Changes.doc](#)
[Draft Bay-Delta MOU -- 092409 - Clean.docx](#)

We just received the new draft of the MOU (attached). Last call for comments is this afternoon. I believe the comments (region 9's and mine) have been folded in and I am not anticipating we have any issues at this point. If you do have additional comments, please send them to me asap. Lee, I recognize OGC has a review and concurrence process that may take a little longer. You should probably get started now using the clean version attached. If a subsequent version is distributed I'll send right away.

We're working on a 1-pager for briefing book for LPI's region 9 visit. It will include what we know about logistics of finalizing the MOU and next Wednesday's public meeting. With the Administrator in Region 9 next week and the MOU teed up for discussion, and with Pete Silva in the loop, I'm hopeful we can get the go ahead for signature of the MOU on Monday.

Rob

Acting Deputy Director
Office of Wetlands Oceans and Watersheds
Room 7130A EPA West
202-566-1822

----- Forwarded by Robert Wood/DC/USEPA/US on 09/24/2009 12:39 PM -----

From: "Klasen, Matthew N." - (b) (6)

To: Robert Wood/DC/USEPA/US@EPA, Roger Gorke/DC/USEPA/US@EPA, "Hagelin, Andrew Mr CIV USA ASA CW" <andrew.hagelin@conus.army.mil>, <joellen.darcy@us.army.mil>, <JReich@doc.gov>, "Kelly Denit" <Kelly.Denit@noaa.gov>, <mlconnor@usbr.gov>, <Monica.medina@noaa.gov>, <Robert.Bonnie@osec.usda.gov>, <rock.salt@us.army.mil>, "Ericsson, Sally C." (b) (6) Peter Silva/DC/USEPA/US@EPA, <tanya.dobrzynski@noaa.gov>, <theodore.a.brown@usace.army.mil>, Laura Yoshii/R9/USEPA/US@EPA, <Eileen_Sobeck@ios.doi.gov>
Cc: <Letty_Belin@ios.doi.gov>, "Boots, Michael J." (b) (6) "Nuzum, Robert S." (b) (6) "Mertens, Richard A." (b) (6) Ebner, Eugene M." (b) (6) ight, Courtney" <Col...> Edward A." <Edv...>
Date: 09/24/2009 12:31 PM
Subject: Updated Bay-Delta MOU, schedule, and update

Hi everyone,

First, please see attached for an updated Bay-Delta draft MOU. We've provided both a clean version and a Track Changes version, based on the version with David's edits from yesterday's meeting. Please keep this draft close hold, and please review and send any additional comments to Letty, Mike, Scott, and I this afternoon/evening. Per the schedule below, we will set up a check-in call tomorrow afternoon (if necessary) to resolve any remaining major issues.

Second, below is a timeline for how we see things shaping up between now and the document's release on Wednesday. As shown below, we plan to finalize the content by Monday so you can work to obtain principals' signatures early next week.

Finally, Letty confirmed yesterday that the DOI event next Wednesday will be only a listening session (not Q&A), which will minimize our need to produce talking points and Q&As. In addition, it does not seem like agency officials will need to give remarks on Monday. We should have more clarity on the details of the event after a meeting with the Secretary this afternoon.

Please let us know if you have any questions, and thanks for your help throughout this process.

Best,
Matt

MOU ROLLOUT TIMELINE

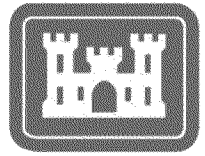
Thursday 9/24:	DOI and CEQ distribute updated MOU. Agencies provide comments to DOI/CEQ on updated draft.
Friday 9/25	DOI/CEQ compile final MOU comments and (if necessary) schedule afternoon check-in call
Monday 9/28 AM:	Document finalized; agencies obtain principals' signatures
Tuesday 9/29:	Finalize MOU Q&As and talking points (draft produced by CEQ & DOI)
Wednesday 9/30:	Announce MOU at DOI event

Matt Klasen
White House Council on Environmental Quality
734 Jackson Place NW
Washington DC 20503

(b) (6)

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DRAFT 9/24/09



**CALIFORNIA BAY-DELTA
MEMORANDUM OF UNDERSTANDING
AMONG FEDERAL AGENCIES**

I. RECITALS

(a) The Sacramento/San Joaquin River Delta-San Francisco Bay estuary (Bay-Delta) is among the most important estuary ecosystems in the nation. The Bay-Delta is a source of drinking water for more than 22 million people; it supports a \$28 billion agricultural industry; and the Delta and its watershed have supported a thriving commercial and recreational fishing industry that has contributed hundreds of millions of dollars to the California economy. The Bay-Delta is also the heart and a critical crossroads of the delivery system that transports water from Northern California to agricultural and urban water users south of the Delta.

(b) The Bay-Delta is in crisis. Decades of environmental degradation have led to severe declines in Delta fisheries and have contributed to the collapse of the State of California's (State) salmon fishing industry. The State is in the third year of drought with the consequent decreased water supplies contributing further to the problems. Both the Bay-Delta ecosystem and the economy dependent on its water and fish are on the precipice of collapse. Furthermore, climate change and seismic risks present additional, serious threats to the Bay-Delta environment, the levees and the Delta communities that depend on them, as well as the water supplies that travel through the Bay-Delta.

(c) Given the national significance of the Bay-Delta ecosystem and its importance to the millions of people who depend on it for water supplies and for environmental benefits, it is imperative that the federal government reestablish its leadership role in Bay-Delta matters, working in partnership with the State and interested stakeholders. This Memorandum of Understanding (MOU) is intended to build upon and complement the collaborative work already being done by the federal government, the State, and other key stakeholders.

II. VISION AND PURPOSE

(a) The federal parties envision a healthy and sustainable Bay Delta ecosystem that provides for a high quality, reliable and sustainable long-term water supply for California, and restores the environmental integrity and sustainability of the system.

(b) This MOU confirms the commitment of the federal parties to work in partnership with the State and diverse stakeholders to fully exercise their authorities and apply sound science in achieving the purpose of the MOU.

CONFIDENTAL PRE-DECISIONAL DELIBERATIVE DOCUMENT

DRAFT 9/24/09

(c) This MOU establishes a structure for coordinating and streamlining the actions of the federal agencies with primary responsibilities and authority over key aspects of the Bay-Delta and its tributaries to advance the federal commitment to this critical ecosystem.

III. PARTIES

The parties to this MOU are:

(a) The United States Department of the Interior, which has jurisdiction pursuant to the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. Section 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), and other applicable law;

(b) The United States Environmental Protection Agency, which has jurisdiction pursuant to the Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.) (Clean Water Act), the Safe Drinking Water Act (42 U.S.C. Section 300f et seq.), and other applicable law;

(c) The United States Department of Commerce, which has jurisdiction pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. Section 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.) (ESA), the Magnuson-Stevens Act (16 U.S.C. Section 1801 et seq.) and other applicable law;

(d) The United States Army Corps of Engineers, which has jurisdiction pursuant to flood control, water supply, flood risk reduction, aquatic ecosystem restoration authorities, the Clean Water Act, and other applicable law.

(e) The United States Department of Agriculture, which has jurisdiction pursuant to title XII of the Food Security Act of 1985 (16 U.S.C. Section 3801 et seq.), the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 134) (including amendments made by that Act), and other applicable law.

(f) The Council on Environmental Quality (CEQ), which has jurisdiction pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. Section 4321 et seq.) and other applicable law.

IV. FEDERAL BAY-DELTA LEADERSHIP COMMITTEE

(a) The Secretary of the Interior (Secretary) and/or his designee will represent the Administration as the lead for developing and coordinating federal policy and commitments in Bay-Delta matters.

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 - (ii) Habitat restoration projects in the Suisun Marsh and other biologically critical sites;

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- (iii) Water quality threats to the Delta through expedited development and implementation of a water quality monitoring and assessment program, and integrating agency regulatory efforts with such actions;
 - (iv) Flood risk and levee stabilization efforts;
 - (v) Projects aimed at mitigating and adapting to the effects of climate change on Delta stability;
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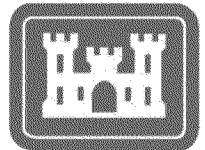
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**CALIFORNIA BAY-DELTA
MEMORANDUM OF UNDERSTANDING
AMONG FEDERAL AGENCIES**

I. RECITALS

(a) The Sacramento/San Joaquin River Delta-San Francisco Bay estuary (Bay-Delta) is among the most important estuary ecosystems in the nation. The Bay-Delta is a source of drinking water for more than 22 million people; it supports a \$28 billion agricultural industry; and the Delta and its watershed have supported a thriving commercial and recreational fishing industry that has contributed hundreds of millions of dollars to the California economy. The Bay-Delta is also the heart and a critical crossroads of the delivery system that transports water from Northern California to agricultural and urban water users south of the Delta.

(b) The Bay-Delta is in crisis. Decades of environmental degradation have led to severe declines in Delta fisheries and have contributed to the collapse of the State of California's (State) salmon fishing industry. The State is in the third year of drought with the consequent decreased water supplies contributing further to the problems. Both the Bay-Delta ecosystem and the economy dependent on its water and fish are on the precipice of collapse. Furthermore, climate change and seismic risks present additional, serious threats to the Bay-Delta environment, the levees and the Delta communities that depend on them, as well as the water supplies that travel through the Bay-Delta.

(c) Given the national significance of the Bay-Delta ecosystem and its importance to the millions of people who depend on it for water supplies and for environmental benefits, it is imperative that the federal government reestablish its leadership role in Bay-Delta matters, working in partnership with the State and interested stakeholders. This Memorandum of Understanding (MOU) is intended to build upon and complement the collaborative work already being done by the federal government, the State, and other key stakeholders.

II. VISION AND PURPOSE

(a) The federal parties envision a healthy and sustainable Bay Delta ecosystem that provides for a high quality, reliable and sustainable long-term water supply for California, and restores the environmental integrity and sustainability of the system.

(b) This MOU confirms the commitment of the federal parties to work in partnership with the State and diverse stakeholders to fully exercise their authorities and apply sound science in achieving the purpose of the MOU.

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(c) This MOU establishes a structure for coordinating and streamlining the actions of the federal agencies with primary responsibilities and authority over key aspects of the Bay-Delta and its tributaries to advance the federal commitment to this critical ecosystem.

III. PARTIES

The parties to this MOU are:

(a) The United States Department of the Interior, which has jurisdiction pursuant to the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. Section 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), and other applicable law;

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To: "Boots, Michael J." (b) (6)
Cc: "Hagelin, Andrew Mr CIV USA ASA CW" [andrew.hagelin@conus.army.mil]; Hight, Courtney" (b) (6) David Nawi" [david@dnmediation.com]; ileen_Sobeck@ios.doi.gov;"Ebner, Eugene M." (b) (6) Ebner, Eugene M." (b) (6) oellen.darcy@us.army.mil;"Carson, Jonathan K." (b) (6) Carson, Jonathan K." (b) (6) Reich@doc.gov;"Kelly Denit" [Kelly.Denit@noaa.gov]; Kelly Denit" [Kelly.Denit@noaa.gov]; N=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA; Laura_Davis@ios.doi.gov; Letty_Belin@ios.doi.gov;"Klasen, Matthew N." (b) (6) Laura_Davis@ios.doi.gov; Letty_Belin@ios.doi.gov;"Klasen, Matthew N." (b) (6) Letty_Belin@ios.doi.gov;"Klasen, Matthew N." (b) (6) Klasen, Matthew N." (b) (6) Iconnor@usbr.gov; Monica.medina@noaa.gov; CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;"Mertens, Richard A." (b) (6) Monica.medina@noaa.gov; CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;"Mertens, Richard A." (b) (6) va/OU=DC/O=USEPA/C=US@EPA;"Mertens, Mertens, Richard A." (b) (6) Robert.Bonnie@osec.usda.gov;"Nuzum, Robert S." (b) (6) uzum, Robert S." (b) (6) ock.salt@us.army.mil; CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;"Ericsson, Sally C." (b) (6) Gorke/OU=DC/O=USEPA/C=US@EPA;"Ericsson, Ericsson, Sally C." (b) (6) anya.dobrzynski@noaa.gov; theodore.a.brown@usace.army.mil[]; heodore.a.brown@usace.army.mil[]
From: CN=Robert Wood/OU=DC/O=USEPA/C=US
Sent: Sun 9/27/2009 3:08:06 AM
Subject: Re: Clean MOU and September 30th Agenda
Cal Bay-Delta MOU Final 092609.docx

Mike and All:

EPA's Office of General Council communicated to me their concurrence on the 9/25 Final MOU you distributed Friday afternoon. In doing so, OGC offered a very few edits at the beginning of the workplan discussion at section V. The edits are shown marked in the attachment. OGC suggested changing "will" to "intends to" in a couple spots with additional conforming edits. EPA OGC concurrence is not conditioned on making these edits, rather the edits are suggestions to minimize any legal risk of using "will." If for policy reasons you wish to not accept these edits, EPA understands. Please let me know if you have any questions. I will look forward to a communication from you confirming the final version of the MOU for Monday signature. Thanks.

Rob

Acting Deputy Director
Office of Wetlands Oceans and Watersheds
Room 7130A EPA West
202-566-1822

From: "Boots, Michael J." (b) (6)
To: <Letty_Belin@ios.doi.gov>, "Hagelin, Andrew Mr CIV USA ASA CW" <andrew.hagelin@conus.army.mil>, "Hight, Courtney" (b) (6), "David Nawi" <david@dnmediation.com>, <Eileen_Sobeck@ios.doi.gov>, Roger Gorke/DC/USEPA/US@EPA, <joellen.darcy@us.army.mil>, <JReich@doc.gov>, "Kelly Denit" <Kelly.Denit@noaa.gov>, <mlconnor@usbr.gov>, <Monica.medina@noaa.gov>, <Robert.Bonnie@osec.usda.gov>, <rock.salt@us.army.mil>, "Ericsson, Sally C." (b) (6), Peter Silva/DC/USEPA/US@EPA, <tanya.dobrzynski@noaa.gov>, <theodore.a.brown@usace.army.mil>, Robert Wood/DC/USEPA/US@EPA, Laura Yoshii/R9/USEPA/US@EPA, "Mertens, Richard A." (b) (6)
<Laura_Davis@ios.doi.gov>, Peter Silva/DC/USEPA/US@EPA
Cc: "Klasen, Matthew N." (b) (6), "Nuzum, Robert S." (b) (6)
Date: 09/25/2009 05:40 PM
Subject: Clean MOU and September 30th Agenda

Hello All –

Based on our conference call this afternoon, attached are two documents:

- (1) Revised MOU that hopefully incorporates all of your comments and should be ready for signature. One caveat: As mentioned on the call, we are still awaiting final sign-off from EPA's general counsel, but we'll let you know if they do anything but concur.
- (2) A draft agenda for next Wednesday's public meeting.

Please let Letty or me know if you have any additional questions. We'll be back in touch over the weekend or on Monday to both talk through logistics of getting signed copies back to CEQ to combine into one document and to share draft questions & answers regarding the MOU.

Thanks for your quick work on this!

Mike

Michael Boots
Associate Director for Land and Water Ecosystems
White House Council on Environmental Quality
730 Jackson Place NW
Washington, DC 20530

(b) (6)
ment "draft 9 30 meeting agenda-092509DWR.DOC" deleted by Robert Wood/DC/USEPA/US] [attachment "Cal Bay-Delta MOU Final 092509.docx" deleted by Robert Wood/DC/USEPA/US]



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(d) The Department of the Army, which has jurisdiction pursuant to flood control, and water resource development statutes, section 10 of the Rivers and Harbors Act of 1899, section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) and section 404 of the Clean Water Act (33 U.S.C. Section 1344), and other applicable law.

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Assistant Secretary of the Army (Civil Works)
Department of the Army

To: CN=Lynn Zipf/OU=DC/O=USEPA/C=US@EPA;CN=Gregory Peck/OU=DC/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]; N=Gregory Peck/OU=DC/O=USEPA/C=US@EPA;CN=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]; N=Lee Schroer/OU=DC/O=USEPA/C=US@EPA;CN=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]; N=Karen Schwinn/OU=R9/O=USEPA/C=US@EPA[]

Cc: CN=Peter Silva/OU=DC/O=USEPA/C=US@EPA;CN=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Shawna Bergman/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Laura Yoshii/OU=R9/O=USEPA/C=US@EPA;CN=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Shawna Bergman/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Suzanne Schwartz/OU=DC/O=USEPA/C=US@EPA;CN=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Shawna Bergman/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Macara Lousberg/OU=DC/O=USEPA/C=US@EPA;CN=Shawna Bergman/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Shawna Bergman/OU=DC/O=USEPA/C=US@EPA;CN=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Roger Gorke/OU=DC/O=USEPA/C=US@EPA;CN=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Mike Shapiro/OU=DC/O=USEPA/C=US@EPA;CN=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]; N=Virginia Kibler/OU=DC/O=USEPA/C=US@EPA[]

From: CN=Robert Wood/OU=DC/O=USEPA/C=US

Sent: Mon 9/28/2009 4:03:13 PM

Subject: FINAL Bay-Delta MOU for Signature - TIME SENSITIVE
[Cal Bay-Delta MOU Final 092809.docx](#)

All: The final MOU for signature is attached below. CEQ is requesting principals' signatures today. Mary Kay Lynch concurred for OGC last Friday. I recommend OW also concur. The Administrator and Acting Region 9 Administrator Laura Yoshii are scheduled to meet later today in Region 9 and the MOU is one of the items I understand they will be discussing. Once they have discussed the MOU, I suggest we try to secure the go ahead to have the document signed by the Administrator. CEQ has asked for the Administrator's signature on a printed version of the attachment and to have that scanned and emailed to them. Lynn, I can discuss the logistics of that with you. Thanks everyone.

Rob

Acting Deputy Director
Office of Wetlands Oceans and Watersheds
Room 7130A EPA West
202-566-1822

----- Forwarded by Robert Wood/DC/USEPA/US on 09/28/2009 11:48 AM -----

From: "Klasen, Matthew N." <(b) (6)>
To: "wood.robert@epa.gov" <'wood.robert@epa.gov'>, "gorke.roger@epamail.epa.gov" <'gorke.roger@epamail.epa.gov'>, "joellen.darcy@us.army.mil" <'joellen.darcy@us.army.mil'>, "JReich@doc.gov" <'JReich@doc.gov'>, <kelly.denit@noaa.gov>, "mlconnor@usbr.gov" <'mlconnor@usbr.gov'>, "Monica.medina@noaa.gov" <'Monica.medina@noaa.gov'>, "Robert.Bonnie@osec.usda.gov" <'Robert.Bonnie@osec.usda.gov'>, "rock.salt@us.army.mil" <'rock.salt@us.army.mil'>, "silva.peter@epa.gov" <'silva.peter@epa.gov'>, "tanya.dobrzynski@noaa.gov" <'tanya.dobrzynski@noaa.gov'>, "theodore.a.brown@usace.army.mil" <'theodore.a.brown@usace.army.mil'>, "yoshii.laura@epa.gov" <'yoshii.laura@epa.gov'>, "Eileen_Sobeck@ios.doi.gov" <'Eileen_Sobeck@ios.doi.gov'>, "Hagelin, Andrew Mr CIV USA ASA CW" <andrew.hagelin@conus.army.mil>
Cc: "Letty_Belin@ios.doi.gov" <'Letty_Belin@ios.doi.gov'>, "Boots, Michael J." <(b) (6)>, "Mertens, Richard A." <(b) (6)>, "Boner, Eugene" <(b) (6)>, "Ericsson, Sally" <(b) (6)>, "Hight, Courtney" <(b) (6)>, "Holling, Edward A." <(b) (6)>
Date: 09/28/2009 10:29 AM
Subject: FINAL Bay-Delta MOU for signature

Hi everyone,

Thanks for all your help on preparing the Bay-Delta materials for Wednesday's announcement. Attached is a final draft of the MOU, which has no substantive changes since the understanding we reached on Friday afternoon.

Rob, thanks for forwarding along the EPA OGC edits over the weekend. As we discussed earlier this morning, this version keeps the original language from last week (e.g., keeping "will" rather than "intend to" to better demonstrate concrete commitment).

Please begin gathering your principals' signatures on this document and send us a signed copy when you complete the process. We'll take the lead on compiling the separate signatures into a final document.

Finally, please expect a set of draft high-level talking points / Q&As a bit later today, which we developed in coordination with DOI. We look forward to your comments so we can finalize these materials tomorrow.

As always, please let us know if you have any questions, and thanks again for your help throughout this process.

Best,
Matt

Matt Klasen
White House Council on Environmental Quality
734 Jackson Place NW
Washington DC 20503
(b) (6)



CALIFORNIA BAY-DELTA MEMORANDUM OF UNDERSTANDING AMONG FEDERAL AGENCIES

I. RECITALS

(a) The Sacramento/San Joaquin River Delta-San Francisco Bay estuary (Bay-Delta) is among the most important estuary ecosystems in the nation. The Bay-Delta is a source of drinking water for more than 22 million people, it supports a \$28 billion agricultural industry, and the Delta and its watershed have supported a thriving commercial and recreational fishing industry that has contributed hundreds of millions of dollars to the California economy. The Bay-Delta is also the heart and a critical crossroads of the delivery system that transports water from Northern California to agricultural and urban water users south of the Delta.

(b) The Bay-Delta is in crisis. Decades of environmental degradation have led to severe declines in Delta fisheries and have contributed to the collapse of the State of California's (State) salmon fishing industry. The State is in the third year of drought with the consequent decreased water supplies contributing further to the problems. Both the Bay-Delta ecosystem and the economy dependent on its water and fish are on the precipice of collapse. Furthermore, climate change and seismic risks present additional, serious threats to the Bay-Delta environment, the levees and the Delta communities that depend on them, as well as the water supplies that travel through the Bay-Delta.

(c) Given the national significance of the Bay-Delta ecosystem and its importance to the millions of people who depend on it for water supplies and for environmental benefits, it is imperative that the federal government reestablish a leadership role in Bay-Delta matters, working in partnership with the State and interested stakeholders. This Memorandum of Understanding (MOU) is intended to build upon and complement the collaborative work already being done by the federal government, the State, and other key stakeholders.

II. VISION AND PURPOSE

(a) The federal parties envision a healthy and sustainable Bay-Delta ecosystem that provides for a high-quality, reliable and sustainable long-term water supply for California, and restores the environmental integrity and sustainability of the system.

(b) This MOU confirms the commitment of the federal parties to work in partnership with the State and diverse stakeholders to use their authorities and apply sound science in

achieving the purpose of the MOU.

(c) This MOU establishes a structure for coordinating and streamlining the actions of the federal agencies with primary federal responsibilities and authority over key aspects of the Bay-Delta and its tributaries to advance the federal role in this critical ecosystem.

III. PARTIES

The parties to this MOU are:

(a) The United States Department of the Interior, which has jurisdiction pursuant to the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. Section 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), and other applicable law;

(b) The United States Environmental Protection Agency, which has jurisdiction pursuant to the Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.) (Clean Water Act), the Safe Drinking Water Act (42 U.S.C. Section 300f et seq.), and other applicable law;

(c) The United States Department of Commerce, which has jurisdiction pursuant to the Fish and Wildlife Coordination Act (16 U.S.C. Section 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.) (ESA), the Magnuson-Stevens Act (16 U.S.C. Section 1801 et seq.), and other applicable law;

(d) The Department of the Army, which has jurisdiction pursuant to flood control, and water resource development statutes, section 10 of the Rivers and Harbors Act of 1899, section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 408) and section 404 of the Clean Water Act (33 U.S.C. Section 1344), and other applicable law;

(e) The United States Department of Agriculture, which has jurisdiction pursuant to title XII of the Food Security Act of 1985 (16 U.S.C. Section 3801 et seq.), the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 134) (including amendments made by that Act), and other applicable law.

(f) The Council on Environmental Quality (CEQ), which has jurisdiction pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. Section 4321 et seq.) and other applicable law.

IV. FEDERAL BAY-DELTA LEADERSHIP COMMITTEE

(a) The Secretary of the Interior and/or his designee will serve as the lead for developing and coordinating federal policy and initiatives in Bay-Delta matters.

(b) The Chair of CEQ will work with the Secretary of the Interior in coordinating the

development and implementation of federal policy and initiatives in Bay-Delta matters.

(c) Coordination among the federal parties will be facilitated through the formation of a Federal Bay-Delta Leadership Committee, which will be co-chaired by the Secretary of the Interior and the Chair of CEQ, or their designees. The Federal Bay-Delta Leadership Committee will include a single senior designee from each of the following agencies: the Department of Commerce, the Department of the Army, the Environmental Protection Agency, the Department of Agriculture, and such other agencies as the Secretary and the Chair deem necessary.

(d) The Federal Bay-Delta Leadership Committee will meet on a regular basis to develop and coordinate federal participation in Bay-Delta matters. Activities coordinated through the Committee shall include efforts addressing drought, encouragement of land stewardship and water conservation activities, review of projects and operations intended to address short- and medium- term issues, implementation of measures developed pursuant to the ESA-related requirements, and the development of the Bay Delta Conservation Plan and other longer-term mechanisms to improve the ecological health of the Bay-Delta and address water supply and quality needs in a sustainable manner.

(e) Regional offices of the participating agencies will provide for the close and effective coordination of their actions and participation in matters affecting the Bay-Delta.

V. FEDERAL WORK PLAN

(a) By December 15, 2009, the Federal Bay-Delta Leadership Committee will develop, in consultation with the State and other interested stakeholders, a coordinated federal work plan outlining near-term federal actions that will be taken in furtherance of the purposes set forth in this MOU. In developing the work plan, the Leadership Committee, in close coordination with the parties' regional offices, will set near-term, performance-based goals and will review and prioritize actions across agencies to achieve those goals.

(b) This work plan may include, but is not limited to, actions on the following issues:

(i) An interagency science program to provide a common scientific basis for agency efforts and to address key uncertainties in scientific information with potential to inform management decisions in the near-term and long-term;

(ii) Habitat restoration projects in the Suisun Marsh and other biologically critical sites;

(iii) Water quality threats to the Delta (through expedited development and implementation of a water quality monitoring and assessment program, and integrating agency actions with such a program);

- (iv) Flood risk and levee stabilization efforts balanced with water supply and species recovery;
 - (v) Projects aimed at mitigating and adapting to the effects of climate change on Delta stability;
 - (vi) A coordinated process for undertaking regulatory actions by federal agencies in the Bay-Delta including, but not limited to, consolidation of scientific review by and the potential co-location of U.S. Fish & Wildlife Service and the National Marine Fisheries Service personnel, and a review of current agreements and regulatory activities in the Bay-Delta;
 - (vii) Recovery Act and other projects in the Bay-Delta and areas affected by the Bay-Delta ecosystem and water supplies passing through the Delta; and
 - (viii) Conservation, recycling, and efficiencies in water use, and land stewardship activities that benefit the Bay-Delta ecosystem.
- (c) As this work plan is developed and implementation begins, the parties and their regional offices will coordinate the parties' actions closely with the State and diverse stakeholders, and ensure that there is open and ongoing communication throughout.
- (d) This work plan will be modified as deemed necessary by the parties in order to adapt to new circumstances and events.
- (e) As the Leadership Committee develops the near-term work plan, it will begin to identify and prioritize key longer-term federal actions and resources to achieve the purpose of this MOU and incorporate such actions within a longer-term plan.

VI. MISCELLANEOUS PROVISIONS

- (a) This MOU is not intended to, and does not, restrict the authority of any party to act as provided by law, statute or regulation.
- (b) This MOU addresses the activities of the parties, and as such does not address (and thus does not restrict) the activities and authorities of any other federal agency or office.
- (c) This MOU is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any person against the United States, its departments, agencies, or entities, its officers, employees, or agents, any other person.
- (d) This MOU will take effect upon the signature of all of the parties, and it will remain in effect for a period of five years from the date on which it takes effect. This MOU may be extended or modified at any time upon the mutual written consent of the parties. Additionally, a party may terminate its participation in this MOU at any time by

providing written notice to the other parties at least thirty days in advance of the desired termination date.

(e) As required by the Antideficiency Act, 31 U.S.C. Sections 1341, 1342, and 1517, all activities of the parties in implementing this MOU are subject to the availability of appropriated funds. Nothing in this MOU obligates any of the parties to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. Any transaction involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.

VII. SIGNATURES

Ken Salazar
Secretary
Department of the Interior

Nancy H. Sutley
Chair
Council on Environmental Quality

Gary Locke
Secretary
Department of Commerce

Tom Vilsack
Secretary
Department of Agriculture

Lisa P. Jackson
Administrator
Environmental Protection Agency

Jo-Ellen Darcy
Assistant Secretary of the Army (Civil Works)
Department of the Army